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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,087	10/29/2003	David H. Bigelow	12569-0005	6648

25267 7590 08/06/2004  
BOSE MCKINNEY & EVANS LLP  
135 N PENNSYLVANIA ST  
SUITE 2700  
INDIANAPOLIS, IN 46204

EXAMINER


RODRIGUEZ, PAUL L

ART UNIT	PAPER NUMBER
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2125

DATE MAILED: 08/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/696,087	Applicant(s) BIGELOW, DAVID H. 	
	Examiner Paul L Rodriguez	Art Unit 2125	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>1/2/04</u> . | 6) <input type="checkbox"/> Other: ____.  |

### **DETAILED ACTION**

1. Claims 1-7 are presented for examination.

#### ***Priority***

2. Claimed priority to U.S. Patent Application 09/596,461, now U.S. Patent 6/6,647,305 is acknowledged.

#### ***Information Disclosure Statement***

3. The Information Disclosure Statement submitted 1/2/04 does not completely comply with 37 C.F.R. 1.98(b)(5) which requires the publications listed to contain a publish date, therefore certain listings have been lined through by the examiner and have not been considered.

#### ***Drawings***

4. The drawings received on 3/15/04 are acceptable for examination purposes but are objected to by the Examiner.

5. The drawings are objected to because of the following:

Page 8 line 25 – page 9 line 1 states that 118 communicates with 102 through 120 in reference to figure 1, however there also a direct communication line between 118 and 102.

Page 13 line 23 of the specification states that 2mm and 10mm options are displayed in figure 8, however figure 8 shows 3mm and 10mm selected.

Figure 5, reference numbers 504 and 402 drawn to the same part.

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Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

6. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 609, 1510, 180.

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application.

7. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference character(s) mentioned in the description: 1802.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application.

8. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

9. The examiner has provided a number of examples of the drawing deficiencies in the above, however, the list of deficiencies may not be all inclusive. Applicant should refer to these as examples of deficiencies and should make all the necessary corrections to eliminate the drawing objections.

### *Specification*

10. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract of the disclosure is objected to because it contains a number of words in excess of 150. Correction is required. See MPEP § 608.01(b).

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11. The disclosure is objected to because of the following informalities:

Page 8 line 25 – page 9 line 1 states “database 118 communicates with the CAD system 102 through server CAD adapter 120”. Figure 1 shows a communication lines from 102 to both 120 and 118.

Page 13 line 9 refers to figure 7 and “options 608”, options 608 found in figure 6, figure 7 has options 609.

Page 13 line 23, in reference to figure 8, states “...display the 2mm and the 10mm options”, however figure 8 has the 3mm and 10mm options checked.

Page 13 line 25 refers to figure 9 and “link 502 shown in Fig. 9.” Figure 9 does not label any element with 502.

Page 14 line 10 refers to figure 11 and link 502. Figure 11 does not label any element with 502.

Page 15 line 8 refers to “unmodified object icon 1302”, previously 1202.

Page 15 line 10 refers to “the administrative system level 1420”, previously 1402, reference number 1420 directed to modify CAD object.

Page 16 line 20 refers to “available options 608”, previously “option numbers”.

Page 17 line 25 refers to “server 126”, previously 122, reference number 126 previously “client”.

Appropriate correction is required.

12. The examiner has provided a number of examples of the specification deficiencies in the above, however, the list of deficiencies may not be all inclusive. Applicant should refer to these

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as examples of deficiencies and should make all the necessary corrections to eliminate the specification objections.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

13. Claims 1-7 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Twigg (U.S. Patent Application Publication 2002/0012007 A1).

14. Claims 1-4 and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Burrows et al (U.S. Pat 6,397,117). The claimed invention reads on Burrows et al as follows:

Burrows et al discloses (claim 1) a method of modifying a product configuration form, the method comprising the steps of receiving over a network a form modification request from a client computer (col. 4 lines 50-53), generating in a design system an updated product configuration form in which at least one question-answer field is modified in accordance with the form modification request and permitted design configurations (col. 4 lines 53-57), and sending the updated product configuration form over the network to the client (col. 4 lines 57-61), (claim 2) further comprising displaying the product configuration form on a client computer (col. 4 lines



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57-59, col. 5 lines 39-46), receiving an input corresponding to a modification to the product configuration form on the client computer (col. 5 lines 12-20), sending the form modification request to the design system over the network (col. 5 lines 22-33), receiving over the network the updated product configuration form from the design system (col. 5 lines 39-46, 65-67) and displaying the updated product configuration form on the client computer (col. 4 lines 50-61), (claim 3) further comprising receiving on the design system a product configuration request and at least one output option from the client computer (col. 4 lines 50-54, col. 5 lines 6-20), and generating at least one output in accordance with the product configuration request and the at least one output option (col. 4 lines 54-61, col. 5 lines 22-46), (claim 4) wherein said generating the at least one output includes retrieving product configuration information from a database (col. 4 lines 8-14, lines 54-57, col. 5 lines 26-38), loading at least one computer aided design object in a into a computer aided design system (col. 2 lines 10-1, col. 3 lines 1-13, col. 4 lines 8-19), and modifying the at least one computer aided design object in accordance with the product configuration request and the product configuration information (col. 4 lines 54-61) and (claim 7) wherein the network includes the internet (col. 3 lines 65 – col. 4 lines 4).

15. Claims 1, 2 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Vogler (U.S. Pat 5,815,683). The claimed invention reads on Vogler as follows:

Vogler discloses (claim 1) of modifying a product configuration form, the method comprising the steps of receiving over a network a form modification request from a client computer (col. 1 lines 41-42, col. 3 lines 1-13), generating in a design system an updated product configuration form in which at least one question answer field is modified in accordance with the form modification request and permitted design configurations (col. 1 lines 42-45, col. 3 lines

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13-14), and sending the updated product configuration form over the network to the client computer (col. 3 lines 14-16), (claim 2) further comprising displaying a product configuration form on a client (col. 3 lines 17-23, col. 4 lines 9-19), receiving an input corresponding to a modification to the product configuration form on the client computer (col. 3 lines 1-13), sending the form modification request to the design system over the network (col. 2 line 59 - col. 3 line 13), receiving over the network the updated product configuration form from the design system (col. 3 lines 13-16) and displaying the updated product configuration form on the client computer (col. 3 lines 17-23, col. 4 lines 9-19), and (claim 7) wherein the network includes the internet (col. 2 lines 53-63).

### *Conclusion*

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ujiie (U.S. Pat 6,748,346) – teaches a CAD system used to determine an assembly of parts.

Kaminsky et al (U.S. Pat 6,725,112) – teaches a system and method for evaluating a product design, with a user interface connected via a LAN, WAN or the Internet for accessing the design system.

Harrison et al (U.S. Pat 6,611,725) – teaches a CAD drawing that shows a machine operator how to assemble a part.

Sebastian (U.S. Pat 5,552,995) – teaches a CAD/CAM system which designs a product with CAD and a finished design is translated into a set of instructions for product assembly.

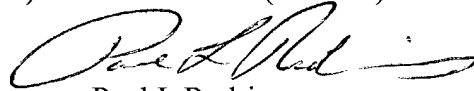
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17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul L Rodriguez whose telephone number is (703) 305-7399.

The examiner can normally be reached on 6:00 - 4:30 T-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo P Picard can be reached on (703) 308-0538. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Paul L Rodriguez  
Examiner  
Art Unit 2125

PLR  
8/3/04